



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

OKAMOTO & BENEDICTO, LLP
P.O. BOX 641330
SAN JOSE CA 95164

COPY MAILED

NOV 30 2007

In re Application of : **OFFICE OF PETITIONS**
Gregory D. Miller et al :
Application No. 10/821,357 : **DECISION ON PETITION**
Filed: April 9, 2004 :
Attorney Docket No. 10021.000201 :
(P0177-D)

This is a decision on the renewed petition under 37 CFR 1.137(b), filed October 15, 2007, to revive the above-identified application.

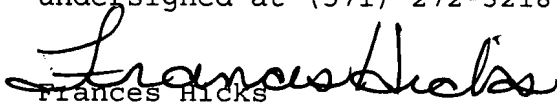
The petition is **GRANTED**.

The application became abandoned for failure to timely reply within the meaning of 37 CFR 1.113 to the final Office action, mailed July 25, 2006, which set a shortened statutory period for reply of three (3) months. No extensions of time under the provisions of 37 CFR 1.136(a) were obtained. Accordingly, the application became abandoned on October 26, 2006. A Notice of Abandonment was mailed on February 8, 2007.

The petition satisfies the requirements of 37 CFR 1.137(b) in that petitioner has supplied (1) the required reply in the form of a request for continued examination, \$810 filing fee, and submission as required by 37 CFR 1.114, (2) the petition fee of \$1,500, and (3) a proper statement of unintentional delay. Accordingly, the failure to timely reply to the final Office action of July 25, 2006 is accepted as being unintentionally delayed.

This application is being referred to Technology Center AU 2834 for processing the request for continued examination and for appropriate action in the normal course of business on the submission under 37 CFR 1.114.

Telephone inquiries concerning this decision should be directed to the undersigned at (571) 272-3218.


Frances Hicks
Petitions Examiner
Office of Petitions